Ombudsman
SASKATCHEWAN

PROVINCIAL OMBUDSMAN SASKATCHEWAN Annual Report 2003

promoting fairn

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Ombudsman
SASKATCHEWAN

Provincial Ombudsman

May 2004

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
Province of Saskatchewan
Legislative Building
Regina, Saskatchewan

Dear Mr. Speaker:

It is my duty and privilege to submit to you and to the Members of the Legislative Assembly, in accordance with section 30 of *The Ombudsman and Children's Advocate Act*, the thirty-first annual report of the Provincial Ombudsman.

This is my final annual report as Saskatchewan's Ombudsman. It has been an honour and privilege to serve the Legislative Assembly in this capacity. I would like to thank you and the Members for their confidence and co-operation throughout my term.

Respectfully submitted,

Barbara J. Tomkins
OMBUDSMAN

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Provincial Ombudsman

Staff at December 31, 2003

Regina office:

Gordon Mayer
General Counsel

Roy Hodsman
Acting Deputy Ombudsman

Arlene Harris
Ombudsman Assistant

Brian Calder
Ombudsman Assistant

Susan Krznar
Ombudsman Assistant (Temp.)

Debby Kivimaa
Ombudsman Assistant (ACR)

Carol Spencer
Complaints Analyst

Debra Zick
Executive Secretary

Joyce Ripplinger
Administrative Assistant

Saskatoon office:

Joni Sereda
Deputy Ombudsman

Laura Pun
Ombudsman Assistant

Jeff Cain
Ombudsman Assistant

Giselle Lavalley
Ombudsman Assistant (Temp.)

Renee Gavigan
Ombudsman Assistant (ACR)

Barbara Schindel
Complaints Analyst

Diane Totland
Complaints Analyst

Lynne Fraser
Human Resource and Financial Administrator

Gloria Hubert
Administrative Assistant (Temp.)

REFLECTIONS

My final term as Saskatchewan's Ombudsman comes to a close in July 2004 and this is therefore my final annual report. I would like to take this opportunity to reflect on the office and its work.

When I came to the office in July 1994, I was quickly impressed by the passion and regard that our staff had for the work and the institution of Ombudsman. This has not changed over my term. While the work is rewarding, it is also emotional, draining and, at times, very frustrating. Nonetheless, none of the staff appears to have become jaded or discouraged. This, I believe, speaks to a genuine commitment to fairness in government and the office's role in promoting it. I thank and commend them all for this.

Historically, the office has dedicated its resources primarily to the resolution and investigation of public complaints. That makes sense, as those complaints are the most obvious means by which we promote fairness in the provision of provincial government services and also, not incidentally, a means to the resolution of a great many grievances between government and the public it serves.

Those public complaints increased 59% in the ten years of my term. While we struggle to manage our workload within reasonable time frames, I am pleased that we have made significant progress, even in the face of these increases.

As Ombudsman, I have the power to investigate issues on my own motion; these will usually be major investigations involving a systemic review of government programs. We have undertaken a good number of these, the best known of which during my term was our review of conditions of custody in Saskatchewan's four main adult correctional facilities. *Locked Out*, a public report about that investigation, our conclusions and recommendations was released publicly in November 2002. It was received by all interested parties and agencies - in and out of government - as a thoughtful and thorough report. I look forward over the coming years to seeing our recommendations implemented.

The office also has a role in public education about our work and our role. I take a broad view of this and we have increasingly focused our public education work on fairness in government and what this means for those who govern, those who administer government programs and members of the public who participate in them. It seems to me that it does little good to conduct public education about the office and what it does, if those that we are speaking to don't also understand the principles of fairness that guide our work and are intended also to guide them.

REFLECTIONS

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Those public complaints increased 59% in the ten years of my term.

I can say with some pride - and a great deal of gratitude to my staff, government staff and the public - that our work in all of these respects has progressed during my term.

However, there have been more than a few disappointments. After 30 years in existence, the office is still not generally well known or well understood by legislators, government staff and the public. Consequently, the office is viewed rather narrowly as simply a forum for the review and resolution of public complaints. This has limited my ability to see the office achieve its full potential.

The institution of Ombudsman is intended as a mechanism to encourage fairness in the provision of government services and for government accountability. The investigation of public complaints is the primary means by which these purposes are achieved but it need not define the office and its work. I think, however, that it currently does.

Our experience with major, systemic investigations has convinced me of the overriding value of such broad-based work. Similarly, education about and the promotion of fairness values could play a prominent role. Yet the office has inadequate resources to undertake either on a sustained basis; in the case of the former, we have the expertise but insufficient resources and, in the case of the latter, we have neither. This is a particular disappointment to me as we had a concrete taste of their value when we finally secured both during my term. Unfortunately, we lost them to other budgetary pressures in the last few years. I hope that in the not too distant future, the office will be able to pursue this work again. With these securely re-established, we might look to more progressive work in respect of international human rights instruments and a formalized advisory role.

Another long-standing concern is the lack of a forum for the review of our reports, whether annual reports or special reports. Though this office is a vehicle of accountability respecting the fairness of government programs and services, our reports sometimes receive little or even no attention. This is perhaps a failure of mine, in part, but it also speaks to the lack of understanding of our role among those who might be interested. Commencing in 2004, an all-party committee of the legislature will receive our reports from the Legislative Assembly; I am hopeful that this committee might become the forum I seek.

Similarly, there is currently no appropriate process for independent offices such as mine to put forward and pursue legislative amendments and no mechanism for us to speak to

amendments if they do proceed to the Legislative Assembly. I have spoken of needed amendments repeatedly in previous annual reports but these have not proceeded. I hope that the committee might also play a role in this respect.

Finally, I have been disappointed that the members of the Legislative Assembly have sometimes overlooked this office as a resource for the independent review of matters in issue. While the continually increasing numbers of public complaints might indicate that the public recognizes that role and the increasing numbers of referrals from government agencies might indicate that government recognizes that role, neither the Legislative Assembly nor any of its committees has, during my term, referred any matter for review. I do not believe this indicates that the legislators see my office as lacking in either credibility or value. I think, instead, that they have sometimes overlooked its direct value and usefulness for them.

I speak with absolute sincerity when I say that it has been a privilege to serve as Saskatchewan's Ombudsman. This has been the most challenging, rewarding and interesting work that I have been honoured to undertake and I doubt that I will ever have the opportunity to do anything comparable again. But it is time to move on. I am ready for new challerges and the office is ready for new direction. With a committed and capable staff in waiting, I am confident that my successor will be well able to take the office and the institution forward.

Kudos continued...

In this report, I have continued my practice of extending the kudos of my office to named individuals in the public service who have made exceptional effort and shown real commitment to the fairness concepts promoted by my office. These kudos will be found scattered in the margins of the report.

CASE SUMMARY

My Computer Crashed!

Vivien's computer was destroyed after a lightning storm in her area. Her insurer covered the cost of a new one, minus the deductible. About three months later, there was another lightning storm and again, Vivien's computer was damaged. Vivien thought this was maybe more than coincidence and wondered if the telephone line that fed the computer might be the problem. She called SaskTel.

SaskTel sent out a technician. He saw that the telephone line was not grounded where it connected to Vivien's service and he made sure that this was then done. That, however, was not the end of the matter. First, based on observations of the site, SaskTel was not certain that its technicians had installed the service. Second, SaskTel thought it was very unlikely that a lightning strike would case the damage that Vivien claimed.

We spoke to the computer servicing company that examined both of Vivien's damaged computers. Staff there explained that there are two sources of energy to a computer – one through the power line and one through the phone line. He noted that the spot where the power line enters was not damaged but the area fed by the phone line was. They could not say with certainty that the damage was caused through the phone line or that it was lightning that caused the damage. But they thought it was certainly a good possibility.

We asked the Saskatchewan Research Council to examine the damaged computer component.

We needed further information. We asked the Saskatchewan Research Council to examine the damaged computer component. The Council concluded that the damage was most likely due to high voltage current passing through the telephone line into the computer. Their observation was that the path of the surge suggested that it was related to lightning.

We gave this information to SaskTel. Since we had independent expert information indicating that the damage was the result of a failure to ground the telephone line, we recommended that SaskTel compensate Vivien. However, we did not recommend full compensation, since our expert spoke to a probability but not a certainty that lightning through the ungrounded line was the cause. The corporation agreed and Vivien was pleased to receive a cheque. She's also pleased that there have been no further incidents of damage to her computer.

Kudos

Hats off to Brenda Taylor, Manager, Special Assistance Program at the Department of Health, Regina, for her commitment to due diligence and balanced consideration before making a final decision on a difficult case.

CASE SUMMARY

Trying to Help

Virgil, an inmate at a provincial correctional centre, wanted to send some of his inmate savings to Virginia, his common law wife, to help her out with Christmas expenses. When he was told that he could not do this, he appealed. In response, the center director agreed to allow Virgil to send a cheque directly to a store to help with furniture purchases but refused him permission to send funds directly to Virginia for any other purpose. Virgil called our office.

Our investigation disclosed that Corrections allows inmates to send money to immediate family members, including common law spouses. However, Virgil had listed a different woman as his wife on the visitor's log some time earlier. We also learned that Virgil and Virginia had been together for seven years and had two children. The problem, we found, was that the centre was looking at an outdated log; it pre-dated Virgil's relationship with Virginia.

What she wanted was a good Christmas for her children.

We talked to Virginia. She said that she was in the process of moving and could use some furniture but that just wasn't in the budget at that time. What she wanted was a good Christmas for her children.

We contacted a senior member of the correctional centre staff. When we identified the outdated information on the log and Virginia's circumstances, he agreed to allow Virgil to send the money. And Virginia got it in time for Christmas.

CASE SUMMARY

A Miss and a Hit

Vern was riding his motorcycle just outside of the city early one morning when a deer ran onto the road in front of him. He stopped quickly and avoided the deer but in the process, the motorcycle fell and was damaged. SGI determined that Vern was more than 50% responsible for the accident and assessed a surcharge against his licence.

Vern thought that this was wrong and unfair so he appealed to the Rates Appeal Board. That Board could not consider or change SGI's decision regarding who was at fault for an accident (and that wasn't at issue in Vern's case in any event) but can consider whether, given the liability determination, the assessment of a surcharge is warranted. Vern submitted that he was traveling at a reasonable speed but the bike was thrown over due to the sudden appearance of the deer and the washboard condition of the road surface. The Board did not agree and said that he must have been traveling too fast for road conditions. The surcharge would remain.

Kudos

Kudos to Pat Zaychkowsky, Customer Services Supervisor and Cheryl McLean, Business Manager at SaskEnergy in North Battleford for taking the time to ensure that their customer fully understood what had transpired on his account.

All names used in case summaries included in this report are fictitious.

Vern brought the matter to the Ombudsman's office. In the course of our investigation, we learned that the Board's decision was influenced by the significant amount of damage to the motorcycle. That is, the Board thought that the extensive damage indicated that Vern must have been traveling at a much faster rate of speed than he had admitted – one that was too fast for the road conditions.

We had two independent motorcycle repair shops examine the damage. They both agreed that the high repair costs might initially suggest a high rate of speed but thought that a closer examination dispelled that notion. The damage was essentially in two categories: items that protruded from the body of the bike such as the mirror, signal light and windshield and fiberglass items that are fragile. In both cases, the parts would have to be replaced as repair wasn't possible. This drove up the costs of repair. Both concluded that the damage was consistent with an accident at very low speed.

Both concluded that the damage was consistent with an accident at very low speed.

We provided this information to the Rates Appeal Board and also our view that it was unreasonable to expect any driver to travel at speeds that would accommodate every circumstance that might occur. The latter expectation would lead to slowed and congested traffic on our highways, defeating the purposes of highway travel and ultimately rendering it less safe.

Before the Rates Appeal Board could consider our position, the Board was disbanded and the Highway Traffic Board assumed responsibility for such matters. The Highway Traffic Board was persuaded by the evidence we presented and the arguments we advanced. Vern was refunded the surcharge and his points under the Driver Improvement Program were adjusted to reflect this.

MINISTER'S ADVICE

Department of Community Resources and Employment - Utility Allowances

A number of landlords complained to my office about the Department of Community Resources and Employment's policy respecting utility allowances for Saskatchewan Assistance Plan recipients. In particular, they alleged that the policy was unfair to landlords who offered premises with more than four units where the utilities were not separately metred. We agreed to investigate.

We learned that the Department of Community Resources and Employment (DCRE) differentiates among different kinds of rental units for purposes of utility allowances. If the recipient lives in a place where the

Kudos

Here's to Alan (Jake) Jensen, Legal Surveys and Productions Manager at Information Services Corporation, Regina, who twice went to the scene of the problem, recognizing that letters and in-office meetings aren't always the best way to understand and explain a problem.

utilities are separately metred, the actual cost of the utilities is paid. If the premises have four or fewer units and the utilities are not separately metred, an apportioned share of the total utility account is paid. But our complainants were correct: If the premises have more than four units and the utilities are not separately metred, no utility allowance is paid at all.

The effect of the policy was that some social assistance recipients who incur utility expenses receive an allowance to cover them and some do not. We weren't convinced that this was unfair to the landlords. The policy was not part of a program for their benefit and did not require them to offer premises of any particular nature. But looking at it from the recipient's perspective, we concluded that the policy was unfair. We advised the department of this conclusion.

We weren't convinced that this was unfair to the landlords.

In response, DCRE advised that landlords with globally metred premises often include the renter's share of utilities in the rental amount. Utilities, they said, would therefore be paid as part of the rent from the client's shelter allowance. But we thought that this did not address the problem.

Shelter rates are calculated in the same manner irrespective of the utility issue; assistance recipients whose utility costs are included in the rent do not receive a proportionately higher shelter allowance. Let's say that there were two identical suites – one where the utilities are paid directly by the tenant in addition to rent and one where the utility costs were included in the rent. The total cost of each (i.e. rent plus utilities in the former and rent including utilities in the latter) would be the same.

This is inequitable.

Now let's assume that a reasonable rent for the first is the maximum that DCRE allows for shelter. One must assume that the rent for the second would be higher because it includes an additional amount for utilities. Thus, the tenant in the first suite would receive the maximum shelter allowance plus a utilities allowance and the tenant in the second would receive the maximum shelter allowance only. This is inequitable.

It was also suggested that the problem might be entirely avoided if social assistance recipients refrained from renting premises such as those under discussion in this case. This didn't seem to us to be an acceptable solution. If the policy is unfair, that unfairness should be rectified.

It also didn't seem to us to be a workable solution. Decent low-rent housing is not plentiful – even when an additional utility allowance is available. Eliminating suitable premises from the market simply doesn't make sense. Instead, recipients rent these premises and find the money to pay utilities in other parts of their already stretched budgets.

We provided our comments and conclusions to DCRE and received a thoughtful response. The department explained the evolution of this policy and their need to ensure that they only fund verifiable utility costs. The inequity in the policy and practice was acknowledged and we were advised that various options to address the inequity were under consideration. All had substantial financial implications.

I was satisfied that DCRE had given meaningful consideration to the concerns that we raised.

I was satisfied that DCRE had given meaningful consideration to the concerns that we raised. Especially because the resolution would necessarily involve financial considerations that were beyond the purview of DCRE, I advised the Minister of the issue, our position and constraints that the department faced.

In response, the Minister indicated sensitivity to the issue and the inequity and expressed hope that a solution might be found in a long-term housing strategy. I am not aware that the matter has been further addressed to this time.

CASE SUMMARY

Reading in the Opposite Direction

Vanessa was separated from Vlad, her common law husband and the father of her four children. She received social assistance to help her meet the needs of her family. When Vlad died, she wanted to take the children to his funeral but couldn't manage the travel expense on her basic social assistance allowance. She called her worker at the Department of Community Resources and Employment (DCRE) to see if additional funds could be made available for this purpose. When the worker advised that they could not, Vanessa called our office.

She wanted to take the children to his funeral but couldn't manage the travel expense.

We learned that DCRE has a policy that sets out when it will and will not give funding for travel to funerals. Of course, there are restrictions and one of them provides that funding can only be provided if related to the death of a member of the recipient's immediate family. While, in light of the separation, Vlad remained a member of the children's immediate family, he was not a member of Vanessa's any longer.

Kudos

Our compliments to Jocelyn Clement in her position as Customer Support Specialist, SGI, Regina, whose considerate and reasoned approach to complaints results in fair resolutions.

All names used in case summaries included in this report are fictitious.

In discussion with DCRE, it was agreed that the children were, in fact, eligible for funding but were clearly too young to travel on their own. That being the case, funding was extended to enable Vanessa to accompany them in their travel. Vanessa had a cheque by the end of the afternoon!

CASE SUMMARY

Failed? I Didn't Even Try!

Verna is a single mom finishing the final year of her education degree at the University of Saskatchewan. The summer before she was to start student teaching, Verna decided to take a few classes. However, she found that the workload was too demanding and thought it might be best in the long run to drop one of the classes. Before doing so, though, she called the Student Loans office to see whether dropping the class would affect her student loan eligibility. She was assured that it would not.

Verna was, understandably, very upset.

About two weeks before she was to start the semester of student teaching, Verna received a letter from the Student Loans Office telling her that she was not eligible for a student loan. Verna was, understandably, very upset. She needed the student loan to live on while she finished school. Failing that, she would have to take a year off. She called our office.

We learned that staff at the Student Loans Office mistakenly recorded that Verna had failed rather than dropped the class. Once this was clarified, the Student Loans Office worked efficiently to reinstate Verna's eligibility. Indeed, within a week the loan refusal was rescinded and Verna's loan was issued.

CASE SUMMARY

Land Titles Troubles

Some of the problems at the Information Services Corporation found their way to the Ombudsman's office. Here are summaries of a couple that we considered in 2003:

Too Much:

After his wife's passing, Victor thought it would be wise to transfer title to her condominium into his name jointly with his son. They completed the documents necessary for the transfer but made more than a few mistakes. Many times the transfer documents were submitted and as many times were rejected by Information Services Corporation (ISC). This took a lot of time.

The fees for transferring property had more than doubled.

During the time Victor and his son took to get it right, the fees for transferring property more than doubled. When ISC requested the increased amount, Victor thought

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it wasn't fair. He thought that since he had started the transfer under the old rates, those rates should apply through to the end. He didn't think they should change the rules or the fees in the middle of the process.

Our Complaints Analyst spoke to staff at ISC. She noted that while Victor made the mistakes, he corrected them fairly quickly after ISC identified them. The bulk of the delay occurred at the ISC office. Staff at ISC reviewed the file and agreed that the lower rate was more appropriate in the circumstances. Victor was pleased to pay the lesser fee and especially pleased to finally complete the transfer.

Too Long:

Vance was pretty fed up with ISC by the time he called our office. He had sold his home and purchased another. As is usually the case, the funds from the sale wouldn't be released until the transfer had been registered and that was taking, he thought, far too long. In the meantime, he had to borrow money to honour the purchase agreement for the new property; the longer the transfer took, the more the short-term financing was costing him.

Vance's lawyer had tried to resolve the problem but without success. He confirmed that the delay in Vance's case and many others was the result of errors made by ISC in the conversion of the land titles system. Vance's transfer would be completed on a first-in first-out basis with the others. ISC estimated that it would be eight to ten weeks before Vance's turn came.

We were advised that the error had been corrected and the transfer was complete.

Our investigator contacted staff at ISC. We recognized that there might be some justification for a first-in first-out system in general but wondered if there shouldn't be some means to priorize those for which there were financial or other implications from those where there weren't. The Customer Advocate agreed to look at Vance's file. About a week later, we were advised that the error had been corrected and the transfer was complete.

While we were pleased to resolve Vance's problem for him, we were also aware that there were many others in the eight to ten week waiting line that did not receive similar attention. Indeed, Vance's resolution may have come at the expense of those others. It is clear that a broad-based resolution is required.

CASE SUMMARY

Jackpot!

Veronica was playing a VLT at a local outlet. She bet 25 cents and lost. She was about to make another bet when the machine produced a receipt for a $4,700 win! Veronica tried to cash in the receipt but it was declined at the outlet. They thought that something was wrong because the amount was above the maximum for the machine and, in any event, the "prize" was awarded without Veronica or anyone else having placed a bet. The local outlet referred the matter to the Liquor and Gaming Authority's head office, where payment was also denied. Veronica complained to our office.

Our investigation showed that the machine had malfunctioned. We also confirmed that there was no bet in progress at the time the receipt was produced. Finally, we noted that posted rules stated that no payment would be made when a machine malfunctions. We did not support Veronica's complaint.

There was no bet in progress at the time the receipt was produced.

The Authority voluntarily gave Veronica a nominal payment to compensate for her inconvenience but that's as close as she came to the jackpot she wanted.

ACR SUMMARY

A Better Approach

Vaughn relies on Home Care to assist him so that he can continue to live independently in the community, despite certain disabilities. One spring, he moved to a new area of Saskatoon and, as a consequence, some of the persons assisting him were changed. Vaughn found this disruptive and distressing. In discussions with staff at the Saskatoon Regional Health Authority, he didn't hear answers he could accept and, in fact, became very emotional. Communication between Vaughn and the Health Authority staff had essentially broken down.

We referred the matter to our Alternative Case Resolution process. Vaughn was very willing to participate; he wanted an opportunity to explain the impact of the decisions and also, to challenge the philosophy guiding Home Care. Home Care was willing to participate because they understood that Vaughn needed to air his feelings and they also needed communication to be restored.

In a face-to-face meeting, Home Care staff clarified the process and the reasons that staffing changes were made in Vaughn's case. Essentially, their staff are assigned by geographical area of the city. This allows them to provide better service in a more timely manner. When Vaughn moved, some of the

Kudos

Many thanks to Darcy Pindus, District Operator, SaskPower, Weyburn who was willing to listen, quick to acknowledge an error and even quicker to apologize and offer a solution.

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staff assigned to assist him changed. It was noted, however, that only a few would be different.

Home Care staff also explained the reason that Vaughn hadn't been notified of the change sooner. One of the aides had advised him before the change was confirmed but the Authority would have advised him formally not long thereafter.

Home Care was aware of the disruption that occurred and was sympathetic.

Vaughn seemed to understand what the Authority's staff was saying, although he would have preferred a different approach. He did understand, however, that Home Care was aware of the disruption that occurred when such changes were made and was sympathetic.

In the end, communication was restored and the parties agreed that if problems arose, it would be far better to meet and discuss them respectfully than to allow the hurt and angry feelings that had sometimes affected communication between the parties in this case. Vaughn left the meeting with a new regard for Home Care's process and a better understanding of how he might be part of the solution if further problems arose.

CASE SUMMARY

Look Before You Dig

Vito had a bad day at work when he accidentally dug up the gas line at a job where he was excavating for the construction of a new garage. He had another bad day when SaskEnergy advised him that it would hold him personally responsible for the costs of the repair. The amount was added to his residential account and he was warned that his service would be disconnected if payment arrangements weren't made and kept. Vito reluctantly started making payments against the account.

SaskEnergy didn't know who to believe.

Nonetheless, Vito didn't think that it was fair that he was being held responsible for the bill because he was working when the accident happened. In the usual course, the company would pay for this kind of damage. The problem was that the company he worked for told SaskEnergy that Vito wasn't working for them at the time this happened. They said that Vito was working on his own.

Kudos

A toast to Marilyn Wilken, Labour Standards Officer, Department of Labour, Yorkton, who took the time to explain her conclusions and to really listen to her client.

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SaskEnergy didn't know who to believe. They told Vito that if he could show that he was working for the company, the bill would be removed from his account. Vito tried to get copies of his employer's invoices for the job but the employer said there were none. He did have copies of his pay slips but these did not break down the dates and hours that he worked. When he couldn't sort this out with SaskEnergy, Vito came to our office.

We were able to help. We reviewed the excavation company's payroll records and they showed that Vito was a paid employee on the day and during the time that the gas line was dug up and the damage occurred. When we provided copies of these records to SaskEnergy, they accepted Vito's argument and billed the excavation company instead. They also reimbursed Vito for the money that he had already paid toward the repair costs.

CASE SUMMARY

Oops!

Valerie backed her husband's vehicle out of their garage and hit her own car that was parked behind it. She called SGI to find out where the deductible would be assessed. She says that the person she spoke to told her that there would be a deductible assessed against the offending vehicle.

This was important to Valerie because one of the vehicles was quite old and the total damage wasn't much more than the deductible. If a deductible was assessed against it, she wouldn't bother to repair it. It's not surprising, then, that Valerie was very unhappy when both vehicles were repaired and SGI assessed a deductible against each of them. She took her complaint to the Ombudsman's office.

There was a very real probability that SGI's staff had given Valerie incorrect information.

In the course of our investigation, we learned that SGI was correct: If Valerie had backed her own vehicle into her husband's, only one deductible would be assessed but when she backed her husband's into her own, deductibles are properly assessed against both. However, we also became convinced that there had been a misunderstanding when Valerie made the inquiry at the time of the accident.

Since there was a very real probability that SGI's staff had given Valerie incorrect information and since Valerie had acted to her detriment as a result, we recommended that SGI assess only a single deductible in this extraordinary case. SGI agreed.

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CASE SUMMARY

Which Comes First?

Vincent suffered an injury and applied for workers' compensation benefits. The Board required more information about the injury and, before making its decision, wanted Vincent to have the MRI that his doctor had ordered. The Board agreed to cover the costs of the MRI and associated travel expenses but was not prepared to pay benefits to Vincent until his claim was established.

For Vincent, this was a problem. He had no control over how quickly the MRI was done or how long the medical professionals would take to consider and report on the results. He needed to plan and he needed something more definite from WCB before he could do that.

The Board was not prepared to pay benefits until his claim was established.

We contacted staff at the Workers' Compensation Board. They reviewed the matter and agreed to provide benefits to Vincent on an interim basis until the results of the MRI came in. Then a final decision on eligibility would be made. We thought that this was fair and so did Vincent.

BUDGET

The following compares the approved budget for the Provincial Ombudsman for 2003-2004 with the preceding two years.

	2001-2002	2002-2003	2003-2004
Salaries	$1,225,000	$1,208,000	$1,238,000
Other Expenses	$319,000	$325,000	$326,000
Total	**$1,544,000**	**$1,533,000**	**$1,564,000**

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CONTACT US

To lodge a complaint, please contact us by phone, fax, letter or in person. For information about the office, to obtain copies of our publications or to request a presentation, you can also reach us by e-mail. Our addresses are as follows:

Regina Office:

150 – 2401 Saskatchewan Drive
Regina, Saskatchewan
S4P 3V7

Phone: (306) 787-6211
Toll Free: 1-800-667-7180
Fax: (306) 787-9090
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Saskatoon Office:

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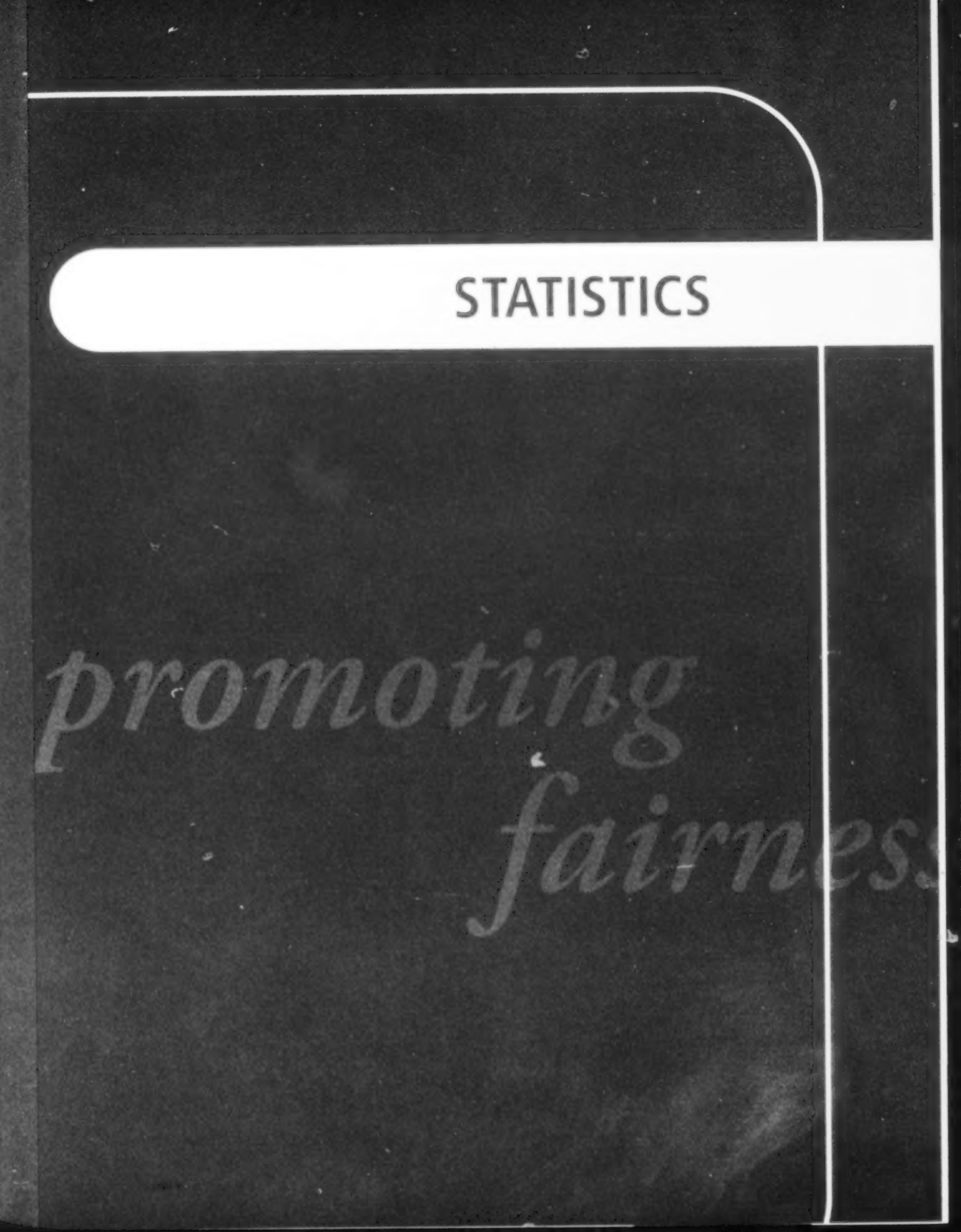
STATISTICS



Detailed Breakdown of Complaints Received Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	2003 Total	2002 Total
Departments		
Agriculture, Food & Rural Revitalization		
General	9	8
Lands Branch	0	4
Community Resources & Employment		
General	15	9
Adoption Branch	0	1
Building Independence Program	19	12
Child Day Care Division	2	4
Community Living Division	4	2
Family & Youth Services Division	45	37
Housing Division		
General	2	5
Beauval Housing Authority	1	1
Buffalo Narrows Housing Authority	5	4
Cumberland Housing Authority	2	0
Duck Lake Housing Authority	1	0
Humboldt Housing Authority	0	1
Ile A La Crosse Housing Authority	1	0
La Loche Housing Authority	0	2
Meadow Lake Housing Authority	3	0
Melfort Housing Authority	0	1
Métis Housing Authority	2	0
Moose Jaw Housing Authority	3	3
North Battleford Housing Authority	1	0
Prince Albert Housing Authority	1	1
Radville Housing Authority	0	1
Raymore Housing Authority	0	1
Regina Housing Authority	2	0
Sandy Bay Housing Authority	1	0
Saskatoon Housing Authority	11	3
Sedley Housing Authority	1	1
Weyburn Housing Authority	1	0
Yorkton Housing Authority	4	0
Income Security Division	849	733
Corrections & Public Safety		
General	5	0
Corrections Division		
General	3	12
Battlefords Community Correctional Centre	0	3
Community Operations Branch – Probation	12	19

Detailed Breakdown of Complaints Received Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	2003 Total	2002 Total
Departments		
Corrections & Public Safety (continued)		
Community Training Residences (CTR)	10	5
Northern Region (Besnard Lake, Buffalo Narrows, Waden Bay)	3	5
Pine Grove Correctional Centre	58	53
Prince Albert Correctional Centre	144	135
Prince Albert Healing Lodge	4	1
Regina Correctional Centre	213	170
Saskatoon Correctional Centre	212	241
Young Offenders Program Branch	2	1
Environment		
General	19	19
Licensing & Support	0	3
Executive Council		
General	1	2
Finance		
General	2	3
Public Employees' Benefits Agency	10	5
Revenue Division	6	3
Government Relations & Aboriginal Affairs		
General	2	2
Health		
General	24	22
Community Care Branch	7	7
Drug Plan & Extended Health Benefits Branch	13	9
Medical Services & Health Registration Branch	0	1
Highways & Transportation		
General	8	7
Highway Traffic Board	6	9
Industry & Resources		
General	0	1
Justice		
General	8	13
Consumer Protection Branch	2	3
Coroner's Office	1	2
Corporations Branch	4	0
Court Services Branch	10	12
Maintenance Enforcement Office	75	83
Mediation Services	1	0

Detailed Breakdown of Complaints Received Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	2003 Total	2002 Total
Departments		
Justice (continued)		
Public Prosecutions	5	2
Public Trustee	12	12
Rentalsman/Provincial Mediation Board	33	26
Victims Services Branch	0	3
Labour		
General	1	1
Labour Standards Branch	20	8
Occupational Health & Safety Division	3	5
Learning		
General	0	2
Career & Employment Services Unit	0	1
Education	4	0
Post Secondary Education & Skills Training	7	2
Student Financial Assistance Branch	28	19
Training & Development Programs Unit	0	1
Boards		
Agricultural Implements Board	0	2
Farm Land Security Board	1	0
Labour Relations Board	1	1
Lands Appeal Board	1	2
Rates Appeal Board	0	2
Regional Health Authorities		
Cypress Regional Health Authority	0	1
Five Hills Regional Health Authority	1	1
Heartland Regional Health Authority	0	1
Keewatin Regional Health Authority	2	0
Kelsey Trail Regional Health Authority	2	1
Mamawetan Churchill River Regional Health Authority	0	1
Prairie North Regional Health Authority	7	6
Prince Albert Parkland Regional Health Authority	3	5
Regina Qu'Appelle Regional Health Authority	8	13
Saskatoon Regional Health Authority	10	9
Sun Country Regional Health Authority	1	1
Sunrise Regional Health Authority	3	1
Saskatchewan Human Rights Tribunal	4	1

Detailed Breakdown of Complaints Received Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	2003 Total	2002 Total
Boards		
Saskatchewan Municipal Board		
General	0	1
Assessment Appeals Committee	1	3
Social Services Appeal Board	17	12
Surface Rights Arbitration Board	1	2
Water Appeal Board	0	1
Workers' Compensation Board	243	153
Commissions		
Automobile Injury Appeal Commission	1	0
Public Service Commission	4	6
Saskatchewan Human Rights Commission	10	6
Saskatchewan Legal Aid Commission	49	45
Saskatchewan Securities Commission	0	1
Teachers' Superannuation Commission	1	0
Crown Corporations		
Agricultural Credit Corporation of Saskatchewan	1	1
Crown Investment Corporation	2	1
Information Services Corporation of Saskatchewan	9	16
Saskatchewan Crop Insurance	13	5
Saskatchewan Gaming Corporation	0	2
Saskatchewan Government Insurance		
General	33	15
Auto Fund	44	48
Claims Division		
Auto Claim	108	82
Other Claims	35	40
Personal Injury Protection Plan	81	84

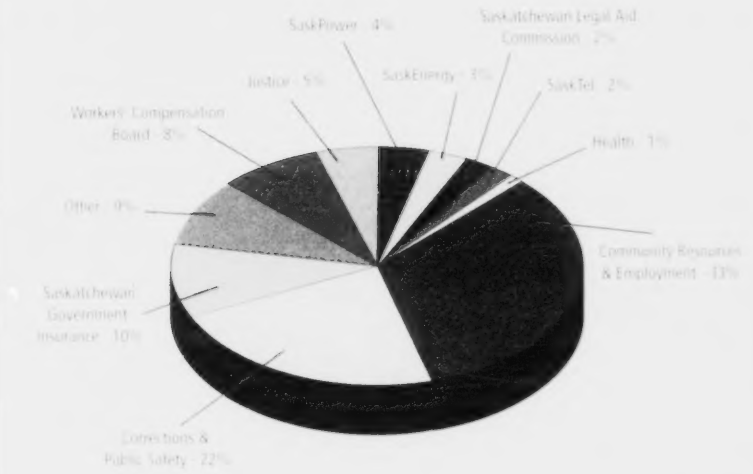
Detailed Breakdown of Complaints Received Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	2003 Total	2002 Total
Crown Corporations		
Saskatchewan Institute of Applied Science & Technology (SIAST)	4	9
Saskatchewan Opportunities Corporation	1	0
Saskatchewan Property Management Corporation	3	0
Saskatchewan Transportation Company	3	1
Saskatchewan Water Corporation	7	3
SaskEnergy	102	85
SaskPower	132	115
SaskTel	65	86
Agencies		
Apprenticeship and Trades Certification	1	0
Saskatchewan Cancer Agency	1	0
Saskatchewan Liquor and Gaming Authority		
General	0	5
Liquor & Gaming Licensing Commission	5	3
Saskatchewan Police Complaints Investigator	4	1
Totals	2,988	2,647

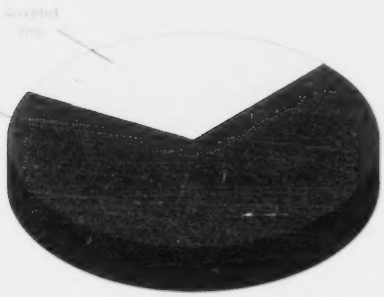
Complaints Other Than Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Category	Regina	Saskatoon	Total	%
Children's Advocate Referrals	13	39	52	2.8
Consumer	273	252	525	28
Courts/Legal	55	225	280	15
Family	2	10	12	.9
Federal	149	225	374	20
First Nations	6	15	21	1
Local Government	41	57	98	5
Medical	14	17	31	1.6
Métis	2	0	2	.2
Other	243	108	351	19
Private	63	19	82	4.5
Professional	27	13	40	2
Totals	888	980	1,868	100

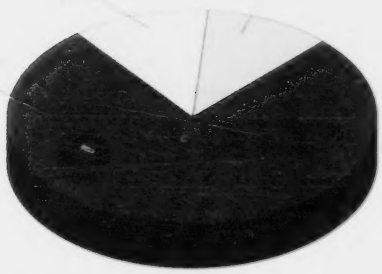
Complaints Received by Department or Agency


SaskPower - 4%
Saskatchewan Legal Aid Commission - 2%
Justice - 5%
SaskEnergy - 3%
SaskTel - 2%
Workers' Compensation Board - 8%
Health - 3%
Other - 9%
Community Resources & Employment - 13%
Saskatchewan Government Insurance - 10%
Corrections & Public Safety - 22%

Recommendations to Government



Results of Complaints



Detailed Breakdown of Complaints Closed Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2003 Total	2002 Total
Departments							
Agriculture, Food & Rural Revitalization							
General	1	0	1	2	6	10	7
Lands Branch	0	0	0	0	0	0	7
Livestock Branch	0	0	0	0	0	0	1
Community Resources and Employment							
General	0	0	6	2	7	15	9
Adoption Branch	0	0	0	0	0	0	1
Building Independence Program	0	1	15	0	2	18	11
Child Day Care Division	0	0	0	1	0	1	4
Community Living Division	0	0	3	0	0	3	3
Family & Youth Services Division	6	2	17	12	8	45	32
Housing Division							
General	1	0	0	0	1	2	8
Beauval Housing Authority	0	0	0	0	1	1	1
Buffalo Narrows Housing Authority	0	0	3	0	2	5	4
Cumberland House Housing Authority	0	0	0	0	1	1	0
Duck Lake Housing Authority	0	0	1	0	0	1	0
Humboldt Housing Authority	0	0	0	0	0	0	1
Ile a la Crosse Housing Authority	0	0	1	0	0	1	0
La Loche Housing Authority	0	0	0	1	0	1	1
Meadow Lake Housing Authority	0	1	1	0	0	2	0
Melfort Housing Authority	0	0	0	0	0	0	1
Métis Housing Authority	0	0	1	0	1	2	0
Moose Jaw Housing Authority	0	0	0	1	3	4	3
North Battleford Housing Authority	0	0	1	0	0	1	0

Detailed Breakdown of Complaints Closed Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2003 Total	2002 Total
Departments							
Community Resources and Employment (continued)							
Housing Division							
Prince Albert Housing Authority	0	0	0	0	1	1	1
Radville Housing Authority	0	0	0	0	0	0	1
Raymore Housing Authority	0	0	0	0	0	0	1
Regina Housing Authority	0	0	0	0	2	2	0
Sandy Bay Housing Authority	0	1	0	0	0	1	0
Saskatoon Housing Authority	0	1	6	2	1	10	3
Sedley Housing Authority	1	0	0	0	1	2	0
Weyburn Housing Authority	0	0	0	1	0	1	0
Yorkton Housing Authority	0	0	1	2	0	3	0
Income Security Program	12	55	657	38	79	841	725
Corrections & Public Safety	2	0	2	0	0	4	1
Corrections Division							
General	0	0	1	0	1	2	11
Battlefords Community Correctional Centre	0	0	0	0	0	0	3
Community Operations Branch – Probation	1	0	7	0	5	13	18
Community Training Residences (CTR)	4	0	5	0	1	10	8
Northern Region (Besnard Lake, Buffalo Narrows, Waden Bay)	0	1	2	0	0	3	5
Pine Grove Correctional Centre	3	1	49	0	5	58	54
Prince Albert Correctional Centre	20	11	95	1	15	142	135
Prince Albert Healing Lodge	1	2	1	0	1	5	1
Regina Correctional Centre	33	25	69	5	61	193	186
Saskatoon Correctional Centre	22	12	143	2	27	206	248
Young Offenders Program	0	0	2	0	0	2	1

Detailed Breakdown of Complaints Closed Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2003 Total	2002 Total
Departments							
Environment							
General	0	2	8	4	6	20	19
Fish & Wildlife Branch	0	0	0	0	0	0	1
Licensing & Support	0	0	0	1	0	1	2
Executive Council	0	0	0	0	1	1	2
Finance							
General	0	0	0	0	2	2	3
Public Employees' Benefits Agency	0	0	3	2	2	7	3
Revenue Division	0	0	1	1	4	6	3
Government Relations & Aboriginal Affairs	0	0	0	1	1	2	2
Health							
General	5	2	9	2	9	27	19
Community Care Branch	1	1	3	1	1	7	7
Drug Plan & Extended Health Benefits Branch	1	1	6	0	3	11	10
Medical Services & Health Registration Branch	0	0	0	0	0	0	1
Highways & Transportation							
General	1	1	4	1	4	11	9
Highway Traffic Board	1	0	6	0	0	7	8
Industry & Resources	0	0	0	0	0	0	2

Detailed Breakdown of Complaints Closed Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2003 Total	2002 Total
Departments							
Justice							
General	1	0	5	0	3	9	13
Consumer Protection Branch	0	0	0	0	1	1	2
Coroner's Office	0	0	1	0	0	1	2
Corporations Branch	0	0	2	0	2	4	0
Court Services	2	2	6	0	2	12	10
Maintenance Enforcement Office	4	1	52	12	11	80	79
Mediation Services	0	0	0	0	1	1	1
Public Prosecutions	0	0	1	0	4	5	2
Public Trustee	0	0	5	2	3	10	12
Rentalsman/Provincial Mediation Board	1	1	17	1	12	32	28
Victims Services Branch	0	0	0	0	0	0	3
Labour							
General	1	0	0	0	1	2	0
Labour Standards Branch	0	3	6	1	8	18	8
Occupational Health & Safety Division	0	0	2	0	1	3	5
Office of the Workers' Advocate	0	0	0	0	0	0	1
Learning							
General	1	0	2	0	2	5	1
Career & Employment Services Unit	0	0	0	0	0	0	1
Post-Secondary Education & Skills Training	0	1	4	1	0	6	3
Student Financial Assistance Unit	0	3	19	1	4	27	19
Training & Development Programs Unit	0	0	0	0	0	0	1
Saskatchewan Human Rights Tribunal	1	0	3	0	0	4	1

Detailed Breakdown of Complaints Closed Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Boards							
Adjudicator – Saskatchewan Employment Supplement Program	1	1	0	0	0	2	0
Agricultural Implements Board	0	0	0	0	0	0	2
Farm Land Security Board	0	0	0	0	1	1	0
Labour Relations Board	0	0	0	1	0	1	1
Lands Appeal Board	1	0	0	0	0	1	1
Rates Appeal Board	1	1	0	0	0	2	1
Regional Health Authorities							
Cypress	0	0	0	0	0	0	1
Five Hills	0	0	0	1	0	1	2
Heartland	0	0	0	0	0	0	1
Keewatin Yatthé	0	0	2	0	0	2	0
Kelsey Trail	0	0	2	0	0	2	1
Mamawetan Churchhill River	0	0	0	0	0	0	1
Prairie North	1	2	3	0	2	8	6
Prince Albert Parkland	0	0	1	0	1	2	5
Regina Qu'Appelle	0	0	4	0	4	8	13
Saskatoon	0	2	6	4	0	12	10
Sun Country	0	0	1	0	0	1	0
Sunrise	0	0	0	1	2	3	1
Saskatchewan Municipal Board							
General	1	0	0	0	0	1	0
Assessment Appeals Committee	0	0	1	0	0	1	3
Social Services Appeal Board	9	0	0	0	4	13	14
Surface Rights Arbitration Board	0	0	1	0	0	1	2
Water Appeal Board	0	0	0	0	0	0	2
Workers' Compensation Board	11	6	160	8	32	217	155

Detailed Breakdown of Complaints Closed Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2003 Total	2002 Total
Commissions							
Automobile Injury Appeal Commission	0	0	0	0	1	1	0
Public Service Commission	0	0	2	1	1	4	6
Saskatchewan Human Rights Commission	1	0	5	1	2	9	5
Saskatchewan Legal Aid Commission	5	2	17	0	25	49	51
Saskatchewan Securities Commission	0	0	0	0	0	0	1
Teachers' Superannuation Commission	0	0	0	0	1	1	0
Crown Corporations							
Agricultural Credit Corporation of Saskatchewan	0	0	0	0	1	1	1
Crown Investments Corporation of Saskatchewan	0	0	0	0	2	2	1
Information Services Corporation	0	1	3	3	2	9	16
Saskatchewan Crop Insurance	1	0	2	1	3	7	5
Saskatchewan Gaming Corporation	0	0	0	0	0	0	1
Saskatchewan Government Insurance							
General	3	2	9	3	12	29	15
Auto Fund	4	4	26	5	7	46	45
Claims Division							
Auto Claim	6	9	67	3	16	101	82
Other Claims	7	2	18	1	9	37	36
Personal Injury Protection Plan	4	3	52	8	12	79	75

Detailed Breakdown of Complaints Closed Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2003

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2003 Total	2002 Total
Crown Corporations							
Saskatchewan Institute of Applied Science & Technology (SIAST)	1	0	2	1	2	6	9
Saskatchewan Opportunities Corporation	0	0	1	0	0	1	0
Saskatchewan Property Management Corporation	0	0	2	0	1	3	0
Saskatchewan Transportation Company	0	0	0	1	2	3	1
Saskatchewan Water Corporation	0	0	3	2	3	8	3
SaskEnergy	1	29	48	4	23	105	84
SaskPower	9	31	56	7	33	136	113
SaskTel	0	13	25	10	18	66	89
Agencies							
Apprenticeship and Trades Certification Commission	0	0	0	0	1	1	0
Saskatchewan Assessment Management Agency	0	0	0	0	0	0	1
Saskatchewan Cancer Agency	1	0	0	1	0	2	0
Saskatchewan Liquor & Gaming Authority							
General	0	1	0	1	2	4	4
Liquor, Gaming & Licensing Commission	0	0	1	0	0	1	3
Saskatchewan Police Complaints Investigator	1	0	3	0	0	4	1
Wascana Rehabilitation Centre	0	0	0	0	0	0	1
Totals	196	240	1,778	169	545	2,928	2,650

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